

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE: WORLD TRADE CENTER  
DISASTER SITE LITIGATION  
-----X

Docket No.: 21 MC 100 (AKH)  
21 MC 103 (AKH)

THIS DOCUMENT APPLIES TO ALL  
WORLD TRADE CENTER DISASTER SITE  
LITIGATION  
-----X

**NOTICE OF MOTION FOR  
ORDER AWARDING  
COMMON BENEFIT  
ATTORNEY FEES**

PLEASE TAKE NOTICE THAT upon the Declaration of Denise A. Rubin dated January 6, 2011, the exhibits and Memorandum annexed thereto Plaintiffs' Liaison Counsel Worby Groner Edelman & Napoli Bern, LLP will ask this Court to enter an order (a proposed order is filed herewith):

- a. Granting Worby Groner Edelman & Napoli Bern, LLP a Common Benefit Attorneys Fee as described in the proposed Order and Memorandum of Facts and Law; and
- b. Granting such other and additional relief as this Court deems just and proper.

Dated: New York, New York  
January 6, 2011

Respectfully submitted,

WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
*Plaintiffs' Co-Liaison Counsel*

  
Denise A. Rubin (DR5591)

350 5<sup>th</sup> Avenue, Suite 7413  
New York, New York 10118  
(212) 267-3700

To:

James E. Tyrrell Jr., Esq.  
Patton Boggs, LLP  
*Defendants' Liaison Counsel and  
Counsel for Defendant City of New York*  
One Riverfront Plaza, 6th floor  
Newark, New Jersey 07102

Beth D. Jacob, Esq.  
Schiff Hardin, LLP  
*Defendants' Liaison Counsel*  
900 Third Avenue, 23rd Floor  
New York, New York 10022

Margaret Warner, Esq.  
McDermott Will & Emery, LLP  
*Counsel for WTC Captive Insurance Co., Inc.*  
600 13th Street, N.W.  
Washington, D.C. 20005-3096

Andrew J. Carboy, Esq.  
Nicholas Papain, Esq.  
Sullivan Papain, Block, McGrath & Cannavo, P.C.  
120 Broadway  
New York, New York 10271

Gregory J. Cannata, Esq.  
The Law Firm of Gregory J. Cannata  
The Woolworth Building  
233 Broadway, 5th Floor  
New York, New York 10279

Robert Grochow, Esq.  
Robert A. Grochow, P.C.  
233 Broadway, 5th Floor  
New York, New York 10279

**ATTORNEY'S DECLARATION/AFFIRMATION OF  
SERVICE**

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Denise A. Rubin, an Attorney duly licensed to practice before the Courts of the State of New York, hereby affirms/declares the following under penalty of perjury:

I am associated with the law firm Napoli Bern Ripka, LLP and as such represent the plaintiff in the within action. On January 6, 2011, I duly served a true copy of the within DECLARATION IN SUPPORT OF COMMON BENEFIT ATTORNEYS FEES on the persons listed below by e-mail and posting on the SDNY ECF docket.

James E. Tyrrell Jr., Esq.  
Patton Boggs, LLP  
*Defendants' Liaison Counsel and  
Counsel for Defendant City of New York*  
One Riverfront Plaza, 6th floor  
Newark, New Jersey 07102

Beth D. Jacob, Esq.  
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*Defendants' Liaison Counsel*  
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233 Broadway, 5th Floor  
New York, New York 10279

Robert Grochow, Esq.  
Robert A. Grochow, P.C.  
233 Broadway, 5th Floor  
New York, New York 10279

  
\_\_\_\_\_  
Denise A. Rubin (DR 5591)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER DISASTER SITE  
LITIGATION

Index Nos.: 21 MC 100 (AKH)  
21 MC 102 (AKH)  
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=====X  
NOTICE OF MOTION BY PLAINTIFFS' LIAISON COUNSEL WORBY GRONER EDELMAN &  
NAPOLI BERN, LLP FOR COMMON BENEFIT ATTORNEYS' FEES  
=====

**WORBY GRONER EDELMAN & NAPOLI BERN, LLP**

*Plaintiffs' Liaison Counsel*  
350 Broadway, Suite 7413  
New York, New York 10118  
(212) 267-3700

=====

The undersigned attorney hereby certifies, pursuant to Fed. R. Civ. P. 11 and 22 NYCRR §130-1.1-a, that I have read the within papers and that to the best of my knowledge and belief they are not frivolous as that term is defined in 22 NYCRR § 130-1.1(c) and Fed. R. Civ. P. 11.

  
\_\_\_\_\_  
Attorney name: Denise A. Rubin

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PLEASE TAKE NOTICE:

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of an \_\_\_\_\_ duly entered in the \_\_\_\_\_ office  
of the clerk of the within named court on \_\_\_\_\_ 200\_\_.

☐ NOTICE OF SETTLEMENT

that an order \_\_\_\_\_ of which the within is a true copy, will be  
presented for settlement to the HON. \_\_\_\_\_ one of the judges of the  
within named Court, at \_\_\_\_\_ on \_\_\_\_\_ 200\_\_ at \_\_\_\_\_ O'clock \_\_\_\_ .M.

Dated, \_\_\_\_\_

Yours, etc.

**WORBY GRONER EDELMAN & NAPOLI BERN, LLP**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER  
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-----X Docket No.: 21 MC 100 (AKH)  
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**PLAINTIFFS' MOTION FOR DEFAULT AND PRECLUSION AGAINST DEFENDANT  
CITY OF NEW YORK**

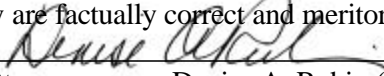
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**WORBY GRONER EDELMAN & NAPOLI BERN, LLP**

*Attorneys for* : Plaintiffs  
350 5<sup>th</sup> Avenue, Ste. 7413  
New York, New York 10118  
(212) 267-3700

=====

The undersigned attorney hereby certifies, pursuant to Fed. R. Civ. P. 11 that I have read the within papers and that to the best of my knowledge and belief they are factually correct and meritorious.

  
\_\_\_\_\_  
Attorney name: Denise A. Rubin (DR5591)

=====

Service of a copy of the within  
Dated, \_\_\_\_\_

is hereby admitted.

\_\_\_\_\_  
ATTORNEY(S) FOR

=====

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Dated, \_\_\_\_\_

Yours, etc.

**WORBY GRONER EDELMAN & NAPOLI BERN LLP**